14

part → II

S1 NO-151

1959-50 **File No.** 384/48

CLASS P. W. **DEPARTMENT**

E **BRANCH** (1)

Subject:—

Bombay Public Service Commission Orders reg

B K 11/50

part → II

File No. 384/48 — E(1)

Ftd. Scott. Slip. 24 A

G R., G D., No 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No._____

_____DEPT.

_____BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

Statement showing the appointment made to posts lying within the purview of the Bombay Public Service Commission without consulting that body during the period from to so far as the Department is concerned.

Post or service to which the appointment is made.	Name of the person appointed.	Nature of appointment i.e., whether by promotion or direct recruitment.	Date of appointment.	Reason or reasons why the Commission was not consulted before the appointment was made.	Whether it is proposed to consult the Commission and if so, when.
(1)	(2)	(3)	(4)	(5)	(6)

Order cancelled by G.C., P.&S.D. No.PSC 1869-34 dt.29.9.55. (CM.No.55) 126279

Appointments made without consulting the Bombay Public Service Commission.

GOVERNMENT OF BOMBAY,
Political and Services Department,
Circular No.2048/34,
Bombay Castle, 15th June 1949.

CIRCULAR OF GOVERNMENT.

It has come to the notice of Government that in spite of the several orders issued in the matter cases still continue to occur in which the requirement about consulting the Public Service Commission at the proper time in regard to appointments made by Government is not observed. With a view to ensuring that such cases do not occur hereafter, Government is pleased to direct that the establishment section of each of the Secretariat Department (except the Separate Department) should prepare a statement in the accompanying form every three months and submit the same to the Secretary concerned. The Secretaries are requested to check the statements so far as their respective Departments are concerned and to see that the requisite references are made to the Commission whenever necessary without avoidable delay.

2. The first statement on the above linces should be prepared at the end of June for the period from April - June.

By order of the Governor of Bombay,

M. D. Bhat.

Chief Secretary to the Government of Bombay,
Political and Services Department.

To

All Departments of Secretariat

(except the Separate Department).

E(1) and %(ii) 16/6

384/48/39407.

E.B.(I) P. W. D.

Submitted for information.

2. It may be stated that in spite of the several orders issued by this Deptt. (Vide G.L.No.2145/36, dated the 11.12.47, No.2145/36-VI-E(I), dated the 10.8.48, and No.1244/36-E (I), dated the 15.10.48) many cases of apptts. of Overseers Governors, Supervisors and Jr. Engrs. as Offg. Dy. Engrs. and Asstt.Engrs. made by the S.Es. of Circles, the El.Commr. with the Govt. of Bombay, the El. Engr. to Govt. and the P.H.E. according to the powers delegated to them for making such apptts., are not reported by them to Govt. within the prescribed time and consequently in some cases the requirement of consulting the BPSC in proper time in regard to such appttss. cannot be observed. The local officers may, therefore, be asked to furnish the information as per draft put up for approval.

Id/- Id/-

13.8.49. 13.8.49.

Id/-

16.8.49.

CKK.

For further orders please see GR. No. 584/48 dated the 28.11.49.

Appointments made without consulting the Bombay Public Service Commission.

Government of Bombay,
Public Works Department.
Circular No. 384/48.
Bombay Castle, 16th August 1949.

CIRCULAR OF GOVERNMENT.

It has come to the notice of Government that in spite of the several orders issued from time to time in the matter many cases of appointments made to the posts lying within the purview of the Bombay Public Service Commission (Appointments of Overseers and Supervisors as Officiating Deputy Engineers and of Junior Engineers as Officiating Assistant Engineers) are not submitted to Government within the prescribed time and consequently in a number of cases the requirement about consulting the Bombay Public Service Commission in proper time in regard to such appointments cannot be observed. With a view to ensuring that such cases do not occur hereafter the Electrical Commissioner with the Government of Bombay, the Superintending Engineers of circles, the Electrical engineer, to Government, and the Public Health Engineer to Government are requested to prepare a statement in the accompanying form* every three months and submit the same to Government before the 15th of the following month.

2. The first statement on the above lines should be prepared for the period from April to June 1949 and submitted to Government before the 31st August 1949.

By order of the Governor of Bombay,

Id/-

By order of the Governor of Bombay,

Id/-

16/8/49

(K. V. JOGLEKAR),

Deputy Secretary to Government.

To

The Electrical Commissioner with the Government of Bombay.

The Superintending Engineers of Circles,

The Electrical Engineer to Government.

The Public Health Engineer to Government.

*Typed below

Issued.
Id/-
16.8.49. No. of 1949.

Copy forward for information and guidance to-

Statement showing the appointments made to the posts lying within the purview of the Bombay Public Service Commission without consulting that body during the period from to so far as the Circle is concerned.

Serial No.	Post or service to which the appointment is made	Name & designation of person appointed.	Nature of appointment whether by promotion or by direct recruitment.	Date of appointment.	If the appointment was not submitted to Government within the prescribed time the reasons therefor and if so when.	Whether it is proposed to submit the appointment subsequently	Remarks. (This should include information whether the appointment involves supersession of seniors and the reasons therefor.)

KK.

Appointment made without consulting the Bombay Public Service Commission.

Government of Bombay.
Public Works Department.
Resolution No.384/48.
Bombay Castle, 23rd November 1949.

Read: Government Circular Public Works Department No.384/48, dated the 16th August 1949.

RESOLUTION. : The name and designation of the officer who made the appointment to a post lying within the purview of the Bombay Public Service Commission without consultation with that body should also be reported to Government along with the information called for in Government Circular, Public Works Department, No.384/48, dated the 16th August 1949. The accompanying amendments should be made in the statement appended to the Government Circular referred to above.

By order of the Governor of Bombay,

Id/--

4/11/

K. V.Joglekar,
Deputy Secretary to Government.

To
The Electrical Commissioner with the Government of Bombay.
The Superintending Engineers of Circles.
The Electrical Engineer to Government.
The Public Health Engineer to Government.

....

No. of 1949.

Copy forwarded for information and guidance to

Accompaniment to Government Resolution, Publi Works Department, No.384/48, dated the 23rd November 1949.

In the statement attached to Government Circular, Public Works Department, No.384/48, dated the 16th August 1949, insert the following as column x 8 and renumber the existing column 8 as 9 - "Name....

NO. 583 of 50.
Office of the Suptg:Engr:S.G.C.
P.W.D.Surat, 21 - 1- 1950.

To

The Secretary to Government,
Public Works Department,
Bombay.

Subject:- Statement showing the Appointments made without consulting the Bombay Public Service Commission ..
Quarterly report for the 3 months ended on 31-12-49.

Reference:- Govt. Circular, (P.W.D.), No.384/48 dated 16.8.1949.

.....

During the quarter under report there was no such case except that of Mr. G.D.Mistry overseer, I/C Vyara, Section having been appointed to hold charge of the Vyara Sub-Division in the absence of Mr. S.C.Sha, Deputy Engineer who had proceeded on leave for 13 days from 7 to 19.11.1949, both days inclusive, to perform the religious obsequies of his deceased father. As the period was very short, local arrangement was suggested by the Executive Engineer and it was approved by this office. The Accountant General, Bombay has been requested for communicating the title to leave in the of Mr. Shah, on receipt of which orders for sanction to leave and arrangement made will be issued. As the period was very short and the circumstances special, it is presumed no information is required to be submitted in the prescribed statement in the case or Mr. Mistry who will have to be appointed as an Officiating Deputy Engineer for the period of 13 days. This may kindly be confirmed.

2. In such special circumstances of the case, when the occasion demands prompt - action and warrants only local arrangement as convenient from an administrative point of view, I would suggest, in your concurrence, kindly to move Government to exempt suc case from the scrop of information and particulars to be supplied as

12

As per Govt. Circular P.W.D.No.384/48, dated 16th August 1948, provided the period does not exceed a fortnight or a month at the most.

Id/-

21.1.50.

Superintending Engineer, S.C.C.

Id/-

21.1.50.

E.B.(I). 384/48/6090

P. W. D.

In G.C., P.W.D., No. 384/48, dated the 16.8.49, the local officers have been asked to report every three months the apptts. made by them to the posts lying within the purview of the B.P.S.C.without consulting that bcdy. The S.E., S. G .C., had appointed Mr. G. D. Mistry, Overseer, to hold charge of the Vyara Sub-Dn. in the absence of Mr. S. C. Shah, Dy.Engr., who had proceeded on leave for 13 days from the 7.11.49 to the 19.11.49. The S.E. says that during the period in question Mr. Mistry's apptt. will have to be treated as Offg. Dy.Engr. The S.E., however, presumes that as the period of apptt. of Mr. Mistry is very short and the apptt. was made in the spl. circumstances no information in respect of this apptt.is required to be furnished to Govt. He further suggests that the cases of this type in which local arrangements are made due to the necessity of prompt action for administrative convenience may be exempted from the purview of the orders issued in the Govt. Circular refd. to above.

2. The order in the Govt. Circular refd. to above have been issued with a view to ensure that cases requiring the B.P.S.C's approval are refd. to it within the prescribed time and no case is left out un-noticed. The circular has been issued as a result of the lapses which had occurred in the past. The cases of the type refd. to by the S.E., S.G.C., are neither exempted nor they need be exempted from the scope of the Govt. Circular refd. to above. It may be stated that such local arrangements, although they are first made for a very short time purely as a tempy. measur for administrative convenience, are some times continued for a long time for one reason or the other. It is, therefore,

...feared-.

feared, that if such cases are exempted from the scope of the Govt. Circular the apptts. are likely to go unnoticed and without reference to the B.P.S.C. within the prescribed time. Moreover, there appears to be no difficulty in reporting such cases to Govt. In the circumstances it is for consideration whether the S. E. may be informed that his presumption is not correct and his request cannot be granted.

Id/-

25.1.50.

As in the concluding portion of the O.M.

Id/-

28.1.50.

Id/-

31.1.

E.E.(I)

Submitted with the necessary draft for approval.

Id/-

1.2.50.

Id/-

1.2.50

Letter.

No.384/48-E(I)

Public Works Department,
Bombay Castle (Bombay No. 1)
2nd February 1950.

To

The Superintending Engineer,
South Gujarat Circle.

Subject:- Appointments made without consulting the Bombay Public Service Commission.

...

Reference: Your letter No.583, dated the 21st January 1950.

2. Your presumption that as the period of appointment of Mr. G.D.Mistry, in charge of the Vyara Sub-Division with effect from the 7th November 1949 to the 19th November 1949 was very short and as his appointment was made in the special circumstances it is not necessary to submit to Government the information in respect of his appointment as required by Government Circular, Public Works Department, No.384/48, dated the 16th August 1949, is not correct. Your request that such cases (the cases of the type of Mr. Mistry's appointment referred to above) in which local arrangements are made due to the necessity of prompt action for administrative convenience may be exempted from the purview of the orders issued in the Government Circular mentioned above cannot be granted.

By order of the Governor of Bombay,
Id/-
4/2/

for Secretary to the Government of Bombay,
Public Works Department.

D.A. Nil.

Copy forwarded to-

the Electrical Commissioner with the Government of Bombay,
the other Superintending Engineer,
the Public Health Engineer to Government,
the Electrical Engineer to Government,

for information.

Issued.
6/2/50.

CKK.